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7

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 * * *

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 ANDERSON et al.,
15 Defendants.

2:11-cr-00120-RLH-CWH

MOTION TO EXTEND TIME BY TWO
DAYS TO FILE RESPONSE TO
GOVERNMENT IN LIMINE MOTION

16 COMES NOW, the defendant, ANDREW SWAN, by and through his counsel of
17 record, Richard F. Boulware, Assistant Federal Public Defender, and hereby moves this Court for
18 an order to allow defense counsel, who is in trial, two additional days to file his response to the
19 government's motion in limine filed on October 5, 2012.

20 DATED this 22nd day of October, 2012.

21 RENE L. VALLADARES
22 Federal Public Defender

23 /s/ Richard F. Boulware
24 By _____
25 RICHARD F. BOULWARE,
Assistant Federal Public Defender
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I. Discussion

The government has filed an in limine motion in this case as to the issue of whether the defense should be permitted to argue bank negligence or loose lending practices as a defense in this case. The response to this motion was automatically scheduled to be due on October 22, 2012 – today. Defense counsel is currently in trial before the Honorable Philip Pro. Defense counsel would therefore request two additional days to be able to file a response to the government’s motion.

The defense requested a stipulation from the government but the government refused to agree. Defense counsel is therefore filing this motion. There is and can be no prejudice to the government for such a short extension. Defense counsel thus requests two additional days to file a response to the government’s motion in limine filed on October 5, 2012.

DATED this 22nd day of October, 2012.

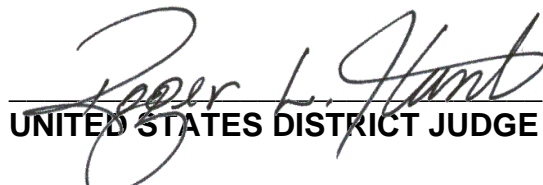
Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ Richard F. Boulware

By _____
RICHARD F. BOULWARE,
Assistant Federal Public Defender
Counsel for Andrew Swan

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: October 23, 2012

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of the Law Offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 22, 2012, he served an electronic copy of the above and foregoing MOTION TO EXTEND TIME BY TWO DAYS TO FILE RESPONSE TO GOVERNMENT IN LIMINE MOTION by electronic service (ECF) to the person named below:

DANIEL G. BODGEN
United States Attorney

SARAH GRISWOLD
Assistant United States Attorney
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Las Vegas, Nevada 89101

James Hartsell, Esq.
Counsel for George Anderson
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/s/ Richard F. Boulware
Employee of the Federal Public Defender